

Lower Paxton Township
PLANNING COMMISSION

Meeting Minutes

September 3, 2014

Commissioners Present

Fredrick Lighty

Doug Grove

Richard Beverly

Roy Newsome

Stephen Libhart

Lori Staub

Also Present

Amanda Zerbe, Planning and Zoning Officer

Jason Hinz, HRG. Inc.

Tim Smith, DCPC

CALL TO ORDER

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7pm on the above date in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Grove led the recitation of The Pledge of Allegiance.

NEW BUSINESS

Preliminary /Final Land Development Plan for Meadowview Village, Lot 1B #13-20

Mrs. Staub stated that she must recuse herself from the plan due to her relationship with the plans' engineer.

Mrs. Zerbe stated The Township has received a plan to develop an unimproved lot (1B) AT THE Meadowview Village site. The property is zoned IN, Institutional District and consists of 1.7431 acres. This project proposes the construction of twelve independent living units in four separate buildings. The property is located on the south side of Union Deposit Road west of the intersection of Union Deposit Road and Newside Road. The property will be served by public sewer and public water.

This plan went before the Planning Commission April 4, 2014 and was tabled by the applicant.

Waiver Request:

The applicant has requested the following waiver:

1. The applicant is requesting a waiver for the requirement to provide a preliminary plan. [180-303]

Jeff Staub, Dauphin Engineering and Eric Kessler were here presenting a revised plan. Mr. Staub stated that the first issue of clarification is on site specific comment #2. The original plan of Meadowbrook was in 1999. The plan approved walking trails and active and passive recreation areas and open space that was part of the plan. In 2006 the Zoning ordinance was changed and they added a section 402. We are planning to build the rest of Meadowview Village as townhouses. A new ordinance requires 20% open space and we need to demonstrate whether or not that 20% open space serves sufficiently or provides sufficient amount of area for either active or passive recreation, along with walking trails. We cannot meet that requirement, because the open space that is part of the plan right now, a significant amount of the area is detention basin, that part is owned by Leisure Estate. The open space consists of wetland, streams and a steep slope. There is no adequate area specifically designated that could be active or passive recreationally in terms of the current ordinance and 20% open space on Lot A and B cannot be done.

Mr. Lighty stated that ordinance 402.A51.F asks for active and passive recreation and open space. He stated that they may ask for a variance. Mr. Staub responded that there is the language for institutional zoning that allows this development. The rules and regulations are part of the residential retirement it supersedes but not sure if it could be strong to overcome ordinance 402. The original plan in 1999 set aside a sufficient amount of open space as passive recreation. Mr. Kessler stated that he just wants to complete what is already there, I have an approved plan that has two medical buildings out front and parking. He said that what he is trying to do is not hurting the neighborhood but actually is less strenuous on the neighborhood. When you look at the community you have to look at it as a whole, it is a condominium community.

Mr. Lighty asked the argument over the variance because of what? Mr. Kessler answered that he thinks the approval he had before with the overlay. District was the entire track now subsequently in 2005/2006, he did some subdividing and asked for a special exception, due to the medical and office building in the front, now all I want to do is revert back to what was originally approved. Mr. Lighty answered that the plan has to be procedurally correct. Mr. Kessler stated that an alternative may be to approve with the contingency to work it out with Mr. Stine.

Mr. Libhart asked about the original plan. Mr. Kessler stated that this is the fourth plan change because the economic climate kept changing. We went from a 100 bed medical facility; reduced to two- one story medical facilities, now we just want to go to townhouses and condominiums. They are not two story they are one floor condominiums, age restricted to 55 plus. Mr. Libhart questioned is this consistent with the original plan? Mr. Kessler answered yes.

Mr. Kessler stated he met with Mr. Stine and he prepared a text amendment. Mr. Lighty answered that they have not seen the text amendment. Mr. Staub stated that Mr. Stine has prepared a text amendment due to Mr. Wolfe asking for this. The staff has approved internally but it has not been processed to submit to the Planning Commission. Mr. Kessler asked that the plan move forward contingent on the text amendment one more step taken. Mr. Lighty questions Mrs. Zerbe if she is aware of this? Mrs. Zerbe answered that she is only aware of the text amendment and the set back for

townhouses. Mr. Staub stated that the institutional zone was an oversight and it is being corrected by the text amendment.

Mr. Lighty asked how the open space problem can be fixed? Mr. Staub stated that Mr. Stine used the language of supersede to fix the open space problem. He states that townhouse are worlds apart from a retirement village. The belief is that the HOA is going to remove the walking trail and paths because they do not want them.

Mr. Newsome has some questions. The footprint of Unit 124 and modifies the set back requirements why has the building not been shifted 2 to 3 feet towards Union Deposit Road? Mr. Staub wants to leave a buffer in the North East corner of the building and the PPL pad not to be relocated. Next he questioned what is being proposed with the roadway and the strange intersection you are creating? You have in the plan an alternative drive which makes more sense than what you are showing. Mr. Staub answered that this odd driveway is being constructed because Mr. Kessler is not sure if he can create a driveway. Mr. Kessler explained that the owners of the property will not return his telephone calls regarding an easement. A discussion was held regarding the driveway location.

Mr. Hinz asked, why are you interpreting it as a driveway as opposed to a private drive off Eric Drive? Mr. Staub answered that it is a driveway in a sense to access a drive, once removed from Eric Drive and both driveways are not serving more than six unit driveways. It can serve up to six units and be considered a driveway. Mr. Staub stated that the driveway as shown would require a waiver for the radius. The alternate driveway, if an easement is granted, will not require a waiver.

Mr. Smith stated that he did not see the water line connection on the plan. Mr. Staub answered that he would check on this so that it would not be missed.

Mr. Libhart made a motion to table the plan. Mr. Grove seconded the motion. A unanimous voted followed.

Preliminary/Final Subdivison Plan for Lots 43, 44 & 45- Victoria Abbey
Plan #14-44

Mrs. Staub requested to be recused from the plan due to her relationship with the plans' engineer.

Mrs. Zerbe stated The Township has received a plan to resubdivide three existing building lots of Victoria Abbey and combine them into two building lots. Existing lots 43,44 & 45 of Victoria Abbey would be made into two lots; lots 43 and 44. The property is zoned R-2 Medium Density Residential District. The property is served by public water and sewer.

Waiver Request:

1. The applicant is requesting a waiver of the requirement to provide a separate Preliminary plan. The proposed plan has been submitted as a Preliminary/Final Plan.[180-303.A]

Mr. Staub is representing this plan. Mr. Staub requests to resubdivide two lots to three, they want to build duplexes instead of townhomes. The grading plan was done but not submitted as part of the package. They will make sure it is done.

Mr. Newsome makes a motion to approve plan as presented, requesting one waiver. Mr. Libhart seconded the motion. A unanimous vote followed.

Final Minor Subdivision Plan, James & Mary Jane Spangler and Bethany Church of the Nazarene # 13-15

Mrs. Zerbe stated The Township has received a plan to subdivide a small area (Lot 1-a-a) of the existing church lot to become an addition to the adjoining lands of James and Mary Jane Spangler. This action will create two (2) TEN (10) acre parcels – one for a single family dwelling and one to remain a non-building lot. The tract is zoned R-1, Low Density Residential District and is located east of Parkway West and north of Carrollton Drive. The property will be served by private well and private septic.

This plan went before the Planning Commission November 6, 2013 and was tabled.

Waiver Request-

1. The applicant is requesting a waiver for the requirement to provide a preliminary plan. [180-303]
2. The applicant is requesting a waiver for the requirement to show proposed features extending 100' from the subject tract boundary. [180-404.C.13]
3. The applicant is requesting a waiver for the requirement to provide proposed contours at 2 ft intervals. [180-404.C.14]
4. The applicant is requesting a waiver for the requirement to receive E&S plan approval.[180-404.E.4]
5. The applicant is requesting a waiver for the requirement to provide stormwater management. [180-404. E.9]
6. The applicant is requesting a waiver for the requirement to provide street widening. Staff supports this waiver. [180-503. A. 9]
7. The applicant is requesting a waiver for the requirement to provide sidewalk along the property frontages. [180-508]
8. The applicant is requesting a waiver for the requirement to curb along the property frontages. [180-509]

Mr. Hinz asks applicant to withdraw waivers 2,3,4,5. Mr. Lighty asked if they want a deferral on waivers 7 & 8 ? Mrs. Zerbe stated that they said another plan would be submitted after this, based on a plan that two parcels were Clean and Green.

Mrs. Staub stated that she did not think you could defer a waiver request. You must either grant or deny the waiver. Mrs. Zerbe stated that the applicant would like you to either grant or not grant the waiver. Mr. Lighty stated that the front of the church has curb as well as a sidewalk.

Mark Jones is here representing the plan.

Mr. Jones stated that sidewalks that would be Clean and Green with 20 acres does not serve a purpose. Mrs. Zerbe stated that the only thing is the McNaughton subdivision, a mile or half mile up the road. Mrs. Staub said that for further development the chance at curbs and sidewalks need to be talked about. Mr. Lighty said that this Commission has recommended waiver of curbs and sidewalks to places where they do not make sense. Mr. Lighty questioned the actual parcel size of 10.000 acres and Mr. Jones replied it is 10.000 acres.

Mrs. Staub asked Mrs. Zerbe to ask Mr. Stine if the property line is permitted to go to the center of the road instead of a dedicated right of way line.

Mr. Newsome has a quandary about the development and plan. If the subdivision or process goes thru what happens, we are going to lose control over this piece of property. Deferring any action of waiver yet insuring we have access to the property later unless a subdivision is planned. Mr. Jones answered that the plan has a no building note on the plan. Mr. Lighty stated that at that point and it comes back we would have a shot at curb and sidewalks.

Mr. Grove made a motion to recommend approval of the plan and recommend to approval of the preliminary plan, street widening, sidewalk and curb waivers. Mrs. Staub seconded the motion. A unanimous vote followed.

Commissioner Comments-

Mr. Newsome stated that he would like to receive HRG and County Comments in our packet. Mr. Lighty stated he would like a copy of the ordinance provisions for the residents retirement district.

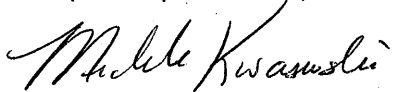
Next Meeting is October 1, 2014

The next Planning Commission meeting is October 1, 2014.

Adjournment

Mr. Grove made a motion to adjourn the meeting and Mr. Libhart seconded the motion. Meeting adjourned at 8:15pm

Respectfully submitted,



Michele Kwasnoski
Recording Secretary